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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/636,973	04/18/2001	Harry Q. Pen	INTL-0452-US (99563)	9071

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EXAMINER

A, MINH D

ART UNIT	PAPER NUMBER
2821	

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/836,973	PON, HARRY Q.
Examiner	Art Unit	
Minh D A	2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 18 April 2001.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 13-21,24 and 26-30 is/are pending in the application.

4a) Of the above claim(s) 1-12,22,23 and 25 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 13-21,24 and 26-30 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## DETAILED ACTION

Applicant's election with traverse of claims 13-21 and 24 and 26-30 are acknowledged.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13 –15,18,20-21 and 24,26-29 are rejected under 35 U.S.C. 102(b) as being unpatentable by Pan et al (US 6,051,869).

Regarding claim 13, Pan discloses the integrated circuit comprising: a semiconductor substrate (100); an interconnection layer (101) positioned over said substrate (100); a passive circuit element between the substrate (100) and the interconnection layer (101); and a trench (105 or 106) that encircles the passive circuit element, the trench (105 or 106) filled with a conductive material (aluminum/copper alloy). See figure 1, col.2, lines 29-67.

Regarding claim 14, Pan discloses the trench (105 or 106) substantially encircles the passive circuit element. See figure 1, col.2, lines 29-67.

Regarding claim 15, Pan discloses the material includes an opening for an electrical connection to the passive circuit element. See col.2, lines 36-54.

Regarding claim 17, Pan discloses the integrated circuit including first (102), second (102) and third (104) interconnection layers, the passive circuit element formed

in the second interconnection layer(103) and a pair of metal-filled trenches (105 and 106) extending between the first and second interconnection layers (102 and 103) and the third (104) and second (103) interconnection layers. See figure 1.

Regarding claim18, Pan discloses the trench (105 or 106) extends from the interconnection layer (102 or 103 or 104) to the substrate (100). See figure 1.

Regarding claim 20, Pan inherently discloses the integrated circuit including a buried contact which couples the passive circuit element under the material. See figure 1, elements 100, 101 in col.2, lines 29-67.

Regarding claim 21, Pan discloses the material and the internconnection layers are electrically coupled. See figure 1.

Regarding claim 24, Pan discloses the integrated circuit comprising: a semiconductor substrate (100); an active circuit element formed in the substrate (100); a guard ring(110) encircling the active circuit element formed in the substrate (100); and a trench(102 or 103 or 104) filled with a conductive material coupled to the guard ring (110). See figures 1,2H and 2I in col.2, lines 29-67 an col.4, lines 25-67 and col.5, lines 1-5.

Regarding claim 26, Pan discloses the integrated circuit including the metal one layer (107) over the substrate (100), the material electrically coupled to the guard ring (110) and the metal one layer (107). See figure 2H or 2I.

Regarding claim 27, Pan discloses the circuit having the guard ring (110) completely surrounds the active circuit element. See figure 2H and 2I.

Regarding claim 28, Pan discloses the trench (102 or 103 or 104) completely surrounds the active circuit element. See figure 2H and 2I.

Regarding claim 29, Pan discloses active circuit element includes a transistor. See col.2, lines 36-47.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16,19 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Pan (US 6,051,869).

Regarding claims 16 and 30, Pan discloses the claimed invention except for the passive circuit element is a flat spiral inductor or the active circuit element is enclosed in a shield over the substrate. It would have been an obvious matter of design choice to have a flat spiral inductor or enclosed in a shield over the substrate, since applicant has not disclosed that the a flat spiral inductor or the active circuit element is enclosed in a shield over the substrate solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the passive circuit element is a flat spiral inductor or active circuit element is enclosed in a shield over the substrate.

Regarding claim 19, Pan discloses the claimed invention except for the material is grounded. It would have been obvious to one having ordinary skill in the art at the time the invention was made to ground, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

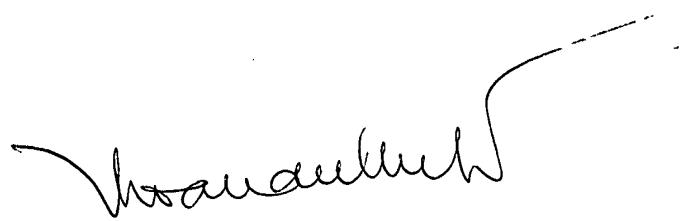
***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wong. (US 6,455,915); Kubota et al. (US 6,445,026); Quek et al. (US 6,252,290); Yuan. (US 6,407,441) are cited to show the integrated circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (703) 605-4247. The examiner can normally be reached on M-F (7:30 –4:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (703) 308-4856. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0956.



Hoang Anh Le  
Primary Examiner

Examiner

Minh A

Art unit 2821

11/27/02